



USSN: 10/084,826
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Client Ref. No.: S14-US2

PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 2, 2005.

5/2/05

Michelle L. Hanson

Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

WOLFFE et al.

Serial No.: 10/084,826

Filing Date: October 24, 2001

Title: TARGETED MODIFICATION OF CHROMATIN STRUCTURE

Examiner: R. Akhavan

Group Art Unit: 1636

Confirmation No.: 4340

Customer No.: 20855

PETITION PURSUANT TO 37 C.F.R. § 1.10(c) TO ACCORD FILING DATE

ATTN: Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Pursuant to 37 C.F.R. § 1.10(c), Applicants petition to be accorded the filing date as of the date-in on the Express Mail label, namely October 24, 2001.

The attached documents indicate that the above-referenced application was filed on October 24, 2001 by Express Mail. However, at the time following September 11, 2001, the mail to the Patent Office was severely disrupted and the return receipt postcard indicating a filing date of February 24, 2002 and serial number 10/084,826 was received on March 12, 2002. Applicants submitted a Request For Corrected Filing Date on March 25, 2002. A Second Request For Corrected Filing Date was submitted on April 4, 2003. In the Office Action mailed on January 21, 2005, the Examiner indicated repeated requests for corrected filing receipts would not be considered and that the instant petition was required.

05/04/2005 NNGUYEN1 00000029 10084826

130.00 OP

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01 FC:1464
Adjustment date: 08/19/2005 AKELLEY
05/04/2005 NNGUYEN1 00000029 10084826
01 FC:1464 -130.00 OP
Repln. Ref: 08/19/2005 AKELLEY 0009292500
DAH:181648 Name/Number:10084826
FC: 9204 \$130.00 CR

Accordingly, as required by 37 C.F.R. § 1.10(c)(1)-(3), Applicants

- (1) have filed this petition promptly upon the Examiner's instructions that such a petition was required and repeated requests for Corrected Filing Receipts to change the filing date would not be accepted;
- (2) have attached true copies of Title Page with a signed Express Mail Certificate, a copy of the Docket Log for October 24, 2001, along with copies of the Express Mail label and Express Mail Corporate Account. These documents establish that the application was deposited in Express Mail on October 24, 2001; and
- (3) have enclosed a true copy of the Express Mail mailing Label including date-in stamp of October 24, 2001.

Applicants have attached a check for the Petition fee of \$130.00. However, because the application is entitled to the filing date of October 24, 2001, Applicants request that the \$130.00 petition fee be refunded.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 18-1648.

Respectfully submitted,

By: 
Dahna S. Pasternak
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Date: May 2, 2005

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